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**DITECH FINANCIAL LLC**

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

DITECH FINANCIAL LLC

Plaintiff,

v.

DESERT RAIN HOLDINGS L.L.C.,

Defendant.

CASE NO. 2:17-cv-02585-JCM-CWH

**DEFAULT JUDGMENT**

The Court after review and consideration of Plaintiff Ditech Financial LLC's ("Ditech") Application for Default Judgment (ECF No. 11.) the pleadings and papers on file herein, and good cause appearing, hereby enters Default Judgment in favor of Ditech and against Defendant DESERT RAIN HOLDINGS L.L.C. ("Desert Rain") on the declaratory relief and quiet title causes of action or claims for relief under 12. U.S.C. § 4617(j)(3) as alleged in the Complaint as follows:

THE COURT FINDS that 12. U.S.C. § 4617(j)(3) preempts NRS 116.3116 to the extent that an NRS 116 foreclosure sale can extinguish Fannie Mae's property interest while Fannie Mae is under conservatorship of the Federal Housing Finance Agency ("FHFA").

THE COURT FURTHER FINDS that Fannie Mae had a protected property interest under 12. U.S.C. § 4617(j)(3) and that FHFA did not consent to foreclosure or extinguishment of Fannie Mae's protected property interest.

THE COURT FURTHER FINDS that Ditech, as Fannie Mae's servicer, has standing to protect Fannie Mae's interest in the Deed of Trust.

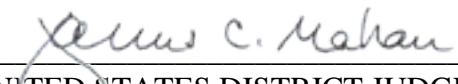
1 NOW WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that Fannie Mae's  
2 Deed of Trust recorded on March 6, 2002 in the Office of the Clark County, Nevada Recorder as  
3 Book and Instrument Number 2002030601927 (the "Deed of Trust"), and against the property  
4 located at 4451 Rich Drive #D, Las Vegas, Nevada 89102 (APN 162-07-412-148), which is legally  
5 described in the Deed of Trust (hereinafter the "Property"), was not extinguished by that NRS 116  
6 Trustee's Deed Upon Sale recorded on January 2, 2015 in the Office of the Clark County, Nevada  
7 Recorder as Book and Instrument Number 20150102-0002771.

8 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Deed of Trust  
9 continues to remain a valid encumbrance against the Property and that any interest acquired by  
10 Desert Rain, and/or its successors or assigns, remains subject to the Deed of Trust.

11 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this shall be a final  
12 judgment of this Court.

13 IT IS SO ORDERED, ADJUDGED AND DECREED.

14  
15 DATED: April 6, 2018 \_\_\_\_\_

  
UNITED STATES DISTRICT JUDGE